

AO 91 (Rev. 11/11) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

for the

MAY 27 2016

Southern District of Texas

David J. Bradley, Clerk

United States of America

v.

Mario Alberto VILLARREAL-Garcia

YOB: 1978 COB: Mexico

Mario A. Villarreal-Perez

YOB: 1997 COB: Mexico

Case No. M-16-1030-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 26, 2016 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC 841, 846

Did knowingly and intentionally conspire to and did possess with the intent to distribute more than 500 grams of cocaine, that is, approximately 2 kilograms of cocaine, a schedule II controlled substance

This criminal complaint is based on these facts:

See Attachment A.

☒ Continued on the attached sheet.REVIEWED / APPROVED BY [Signature]
JESSE SPITZER, AUSA
27 MAY 2016[Signature]
Complainant's signature

FBI Special Agent Joel Pena

Printed name and title

Sworn to before me and signed in my presence.

Date:

May 27, 2016 10:23am [Signature]
Judge's signature

City and state:

McAllen, Texas

Peter E. Ormsby, United States Magistrate Judge

Printed name and title

Attachment "A"

On May 23, 2016, Special Agents of the Federal Bureau of Investigation (FBI) learned from a Confidential Human Source (CHS) that Mario Alberto Villarreal-Garcia was looking to sell and distribute approximately 15 kilograms of cocaine in Penitas, Texas. CHS#1 has provided information that has been corroborated and/or proven to be reliable and credible. On May 26, 2016, CHS advised agents that Villarreal-Garcia would arrange to have approximately 15 kilograms of cocaine delivered at a property located at 2111 E. Mile 3 Road, Penitas, Texas.

On the morning of May 26, 2016, Special Agents of the FBI observed a white Ford Ranger located at 1415 Follow Lane, Penitas, Texas. At approximately 11:20 am the white Ford Ranger was observed backing into a building structure near the rear side of the property. At approximately 12:35 pm a white Ford Ranger was observed in route to the property located at 2111 E. Mile 3 Road. At approximately 12:43 pm Special Agents of the FBI observed that the white Ford Ranger was no longer located at 1415 Follow Lane.

At approximately 12:55 pm, Special Agents of the FBI encountered an individual located at a taco stand located near the front of the property at 2111 E. Mile 3 Road. The individual identified himself as Mario Alberto Villarreal-Garcia. Villarreal-Garcia confirmed that the white Ford Ranger bearing Texas license plates GGL9122 was his and that he came from residence located at 1415 Follow Lane. Villarreal-Garcia consented to a search of his vehicle. A search of the vehicle did not yield positive results for the presence of narcotics.

At approximately 1:30 pm, Special Agents of the FBI encountered multiple Ford Rangers departing the vicinity of Follow Lane and Tom Gill Road in Penitas, Texas. Special Agents of the FBI observed a silver Ford Ranger bearing Texas license plates and a dark gray Ford Ranger bearing Arkansas license plates heading east on Follow Lane, then north onto Tom Gill Road. Special Agents of the FBI subsequently encountered the silver Ford Ranger with the hood open near 4403 W. Mile 7 Road, Mission, Texas. The driver of the silver Ford Ranger was described as wearing a black t-shirt and black shorts, and was identified as Mario A. Villarreal-Perez, who is the son of Villarreal-Garcia. Villarreal-Perez confirmed he was the driver of the silver Ford Ranger and provided consent to search the vehicle. A search of the vehicle resulted in the seizure of a white plastic bag containing nine baggies and two brick like packages containing a white powdery substance similar in nature to cocaine. The plastic bag and two brick like packages were located underneath a black rubber floor mat below the toolbox in the truck bed of the vehicle. A field test kit conducted later yielded positive results for the presence of cocaine. The total weight of the two brick packages and plastic bag was approximately two kilograms and nine ounces. FBI Special Agents obtained consent to search 1415 Follow Lane and discovered 29 small packages containing approximately 27 grams of cocaine.

At approximately 5:35pm, Special Agents of the FBI conducted a custodial interview of Villarreal-Garcia. Under rights advisement and waiver, Villarreal-Garcia stated that on the afternoon of May 25, 2016, a co-conspirator delivered to him, one of the brick-like packages containing cocaine. Villarreal-Garcia was to store it until the delivery was to be made at 2111 E. Mile 3 Road. Villarreal-Garcia also stated that on the morning of May 26, 2016, the same co-conspirator delivered to him, a second brick-like package containing cocaine to store until the agreed upon delivery time. Villarreal-Garcia went on to state that 29 small packages weighing approximately 27 grams found during consent to search of 1415 Follow Lane also belonged to him.

At approximately 6:30 pm, Special Agents of the FBI conducted a custodial interview of Villarreal-Perez. Under rights advisement and waiver, Villarreal-Perez stated that on the afternoon of May 26, 2016, a male subject contacted him regarding the whereabouts of his father, Villarreal-Garcia. Soon after, Villarreal-

Perez was contacted by his uncle, Luis Villarreal, who told him to return to 1415 Follow Lane to remove "some items" from the residence because something "had gone wrong". Villarreal-Perez left his job and drove the silver Ford Ranger to 1415 Follow Lane. Upon arriving at the residence, Villarreal-Perez was instructed by his uncle to back the vehicle up to the building structure to the rear of the property. Luis Villarreal then placed items in the truck bed of the vehicle and told Villarreal-Perez to leave and that he would follow closely behind him. Villarreal-Perez admitted that he resides at 1415 Follow Lane and that he knew that he was transporting drugs in the silver Ford Ranger.